

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED  
MAR 14 2006  
JOHN F. CORCORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

EAST TENNESSEE NATURAL GAS CO., )

Plaintiff, )

v. )

7.74 ACRES IN WYTHE COUNTY, VA, )  
HAROLD HART, LARRY BALL, et al. )

Defendants. )

Case No. 4:02-cv-00104

**ORDER**

By: Jackson L. Kiser  
United States District Court

Before me are four *Motions in Limine* filed by the Plaintiff and three *Motions in Limine* filed by the Defendants. A hearing on these *Motions* was held before this Court on Monday March 13, 2006 at 9:30 AM in Roanoke, VA.

(1) Plaintiff's *Motion in Limine to Exclude Reference to Wytheville Accident and Fire* [78] is hereby **GRANTED** for the reasons stated on the record.

(2) Plaintiff's *Motion in Limine to Exclude the Testimony of Dennis Gruelle* [80] is hereby **DENIED** for the reasons stated on the record.

(3) Plaintiff's *Motion in Limine to Exclude the Testimony of Frank Porter* [82] is hereby **DENIED** for the reasons stated on the record.

(4) Plaintiff's *Motion in Limine to Exclude the Testimony Regarding Construction Issues on Other Properties and Pipeline Relocation* [84] is hereby **GRANTED** for the reasons stated on the record.

(5) Defendants' *Motion in Limine to Exclude Improper Opinion Testimony From*

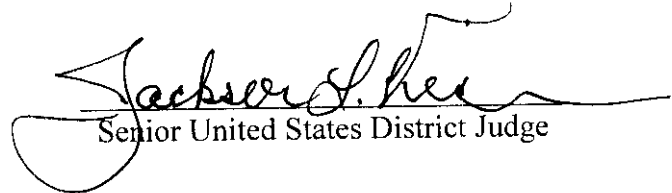
*Witnesses Who Did Not Provide a Rule 26 Expert Report* [86] is hereby **DENIED** for the reasons stated on the record.

(6) Defendants' *Motion in Limine to Exclude the Testimony of James Johnston on Houses He Has Seen Next to Gas Pipeline Easements in Marion, Virginia* [88] is hereby **DENIED** for the reasons stated on the record.

(7) Defendants' *Motion in Limine to Exclude Photographs of Easement Areas That ETNG Has Failed to Identify* [91] is hereby **DENIED** for the reasons stated on the record.

The Clerk is directed to send certified copies of this *Order* to all counsel of record.

Entered this 14 day of March, 2006.

  
Senior United States District Judge